



The R&R recommends that Plaintiff's Motion be denied because he has not demonstrated that a preliminary injunction or a temporary restraining order is warranted in this case. (*See* Docket No. 46 at 5-7). Service of the R&R was made on Plaintiff by mail and he was informed that any objections to same were due by May 19, 2022.

On May 12 and May 19, 2022, the Court received Plaintiff's Objections to the R&R, in which he appears to reiterate arguments made in his Motion requesting injunctive relief. (Docket Nos. 47, 52). In resolving a party's objections, the Court conducts a *de novo* review of any part of the R&R that has been properly objected to. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The Court may accept, reject or modify the recommended disposition, as well as receive further evidence or return the matter to the magistrate judge with instructions. *Id.* Upon careful *de novo* review of the R&R, Plaintiff's Objections and the entire record in this case, the Court concludes that the Objections do not undermine the R&R's recommended disposition.

In so ruling, the Court agrees with Judge Lenihan's conclusion that Plaintiff is not entitled to injunctive relief. Initially, Plaintiff has not established a nexus between the injuries claimed in his Motion and the conduct asserted in the Amended Complaint, as explained in the R&R. (Docket No. 46 at 5-6). As further explained, even based solely on the allegations in Plaintiff's Motion, and to the extent any of them relate to those in the Amended Complaint, he has not shown an immediate irreparable injury to justify granting the requested relief. (*Id.* at 6-7). Finally, this Court also agrees that granting the requested preliminary injunctive relief would "effectively have the federal courts making ad hoc, and individual, decisions concerning the treatment of a single prisoner, [which] could harm both the defendants' and the public's interest," *Kelly v. Merrill*, 2014 WL 7740025, at \*9 (M.D. Pa. Dec. 11, 2014), as more fully explained in the R&R. (*See id.* at 7). Accordingly, in view of the foregoing, the Court enters the following Order:

AND NOW, this 2<sup>nd</sup> day of June, 2022,

IT IS HEREBY ORDERED that Plaintiff's Objections to the R&R (Docket Nos. 47, 52) are OVERRULED, and the R&R (Docket No. 46) is ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's "Order to Show Cause for Preliminary Injunction and Temporary Restraining Order," which has been construed and docketed as a motion for a preliminary injunction or temporary restraining order (Docket No. 22) is DENIED.

s/ W. Scott Hardy  
W. Scott Hardy  
United States District Judge

cc: Damion D. Whitaker (via U.S. mail)  
QA-4318  
SCI-Fayette  
50 Overlook Drive  
LaBelle, PA 15450